



**CALIFORNIA STATE
PUBLIC WORKS BOARD**

ARNOLD SCHWARZENEGGER, GOVERNOR

915 L STREET ■ NINTH FLOOR ■ SACRAMENTO CA ■ 95814-3706 ■ (916) 445-9694

MEETING AGENDA WITH ANALYSIS

**NOTICE OF MEETING
STATE PUBLIC WORKS BOARD
[Friday, September 12, 2008](#)**

The **STATE PUBLIC WORKS BOARD** will meet on
[Friday, September 12, 2008, at 10:00 a.m. in Room
113, State Capitol, Sacramento, California.](#)

In accordance with provisions of Section 11125 of the
Government Code, a copy of the Agenda is attached.

Greg Rogers
Administrative Secretary

Attachment

STATE PUBLIC WORKS BOARD

**Friday,
September 12, 2008**

10:00 a.m.

Room 113

915 L Street
Sacramento, California

I. Roll Call

Michael C. Genest, Director, Department of Finance
Will Bush, Director, Department of General Services
Will Kempton, Director, Department of Transportation
John Chiang, State Controller
Bill Lockyer, State Treasurer

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Patrick W. Henning, Director, Employment Development Department
(Advisory Member)

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Assembly Member, Legislative Advisor
Assembly Member, Legislative Advisor
Assembly Member, Lloyd E. Levine, Legislative Advisor
Senator, Darrell Steinberg, Legislative Advisor
Senator, Denise Ducheny, Legislative Advisor
Senator, Carole Migden, Legislative Advisor

II. Approval of minutes from the **August 8, 2008, meeting**

III. Bond Items	Page 3
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BOND ITEM

NONE

CONSENT ITEM

CONSENT ITEM—1

JUDICIAL COUNCIL OF CALIFORNIA (0250)
ADMINISTRATIVE OFFICE OF THE COURTS (AOC)
FIGUEROA DIVISION, SANTA BARBARA COUNTY
AOC Facility Number 42-B1

Authority: Trial Court Facilities Act of 2002, Chapter 1082, Statutes of 2002, commencing with Section 70301 of the Government Code, as amended.

Authorize the acceptance of real property and improvements thereon through a transfer of title

CONSENT ITEM

STAFF ANALYSIS ITEM—1

Administrative Office of the Courts
Santa Barbara County
Figueroa Division, AOC Facility Number 42-B1

Action Requested

If approved, the requested action will authorize the acceptance of real property and improvements thereon through a transfer of title

Scope

This Description is within scope. The County of Santa Barbara (County) is transferring fee title in and to the court facility commonly known as the Figueroa Division, located at 118 East Figueroa, Santa Barbara, California (Court Facility), to the State of California (State) on behalf of the Judicial Council of the California (Council), Administrative Office of the Courts (AOC), pursuant to that certain Transfer Agreement Between the Council, AOC and the County of Santa Barbara for the Transfer of Responsibility for Court Facility, dated June 30, 2008, (Transfer Agreement). The Court Facility consists of approximately 0.98 acres of real property improved with a three-story building, parking lot and associated landscaping; there is also a modular in the parking lot at the rear of the building that straddles the property line and is shared with the County. The Superior Court will continue to occupy its portion of the modular after the transfer of title of the Figueroa Division property.

Funding and project Costs Verifications

This Description is within cost. The County shall not be entitled to compensation for any equity value in the square footage occupied by the Superior Court in the Court Facility pursuant to SB 1732 (Escutia), Chapter 1082, Statutes of 2002, Section 1(d)(6). The only costs associated with acceptance of this no-cost acquisition are the staff costs to process the acceptance.

CEQA

A Notice of Exemption was filed with the State Clearinghouse on December 8, 2006, and the waiting period expired on January 12, 2007, without comment.

Project Schedule

The anticipated date of close of escrow is October 1, 2008.

Condition of Property

The AOC, staff agency to the Council, was responsible for conducting site visits to the Court Facility site on July 26, 2005, March 16, 2007, and December 3, 2007, and for contracting for the professional services of an environmental professional for the Phase I Environmental Site Assessment (Phase 1). The following findings were made from the combined resources identified above:

Phase I:

A Phase I report was completed in October 2006, by Earth Tech in accordance with the American Society for Testing and Materials Standard Practice for Environmental Site Assessments: Phase I (E-1527-00) (ASTM 2000). One Recognized Environmental Concern (REC) was found to be located on the property; however, during the SB1732 transfer process the AOC had the parcel re-surveyed and the monitoring site is now part of the adjacent County Probation Building parcel. The REC was caused by leaking underground storage tanks. During the 1960's through 1989 the County had 2 underground storage tanks; one held gasoline, and the other held waste oil. When the tanks were removed in 1989 it was discovered that the tanks had leaked and there was soil and groundwater contamination. Since 1995, the County has been participating in a monitoring program overseen by the County Fire Department. Reports from the County's Registered Geologist, William Tracy, sent to the Fire Department demonstrate that over the years the contamination plume has been shrinking.

Building Assessment:

Staff from the AOC's Office of Court Construction and Management conducted a site visit of the Court Facility on July 26, 2005, to assess the general condition of the property. The Office of Court Construction and Management concluded that the Court Facility does not contain any apparent hazards to the health and safety of the occupants or property. On March 16, 2007, and again on December 3, 2008, staff from the AOC's Office of Court Construction and Management conducted site visits to confirm that there had not been any detrimental change in condition of the property during the interim period.

Seismic Safety Assessment:

ATT Degenkolb Engineers, Inc. licensed structural engineers, performed a Tier I seismic safety assessment of the building located in the Court Facility in October 2003, and inspected and evaluated the Court Facility for seismic safety in accordance with the method and criteria developed by the Department of General Services' Real Estate Services Division.

The Tier I assessment determined that the building has a seismic safety rating of Level V, as defined in the Risk Acceptability Table of the State Building Seismic Program, developed by the Division of State Architect, April 1994. The building is transferring to the state pursuant to the provisions of Government Code section 70324 (SB 10) which provides that the county shall be responsible for any seismic-related damage and injury, the county shall indemnify, defend, and hold the state harmless from those claims.

Other

- The County has approved the Transfer Agreement to transfer title and responsibility of the Court Facility to the State at its regularly scheduled meeting on May 6, 2008.
- Concurrently with the transfer of title to the Court Facility, the AOC will purchase from Chicago Title Company an owner's policy of title insurance for the Court Facility, in the amount of \$17,763,750, free and clear of mortgages or liens.
- The County has agreed to indemnify the AOC against any known conditions that existed in, on, or under the real property during the period of their ownership.
- The County has agreed to remain responsible for the ongoing monitoring of contamination on adjacent property caused by leaking Underground Storage Tanks prior to 1989.
- The AOC is not aware of any lawsuits pending concerning the property.
- The Superior Court occupies the entire facility; therefore, the County is not entitled to any compensation.
- The Superior Court will continue to occupy approximately one-half of a modular that straddles the property line between the Figueroa Division and the County Probation Building. The Court Appointed Special Advocates are occupying the remaining half of said modular under a ten year lease with the County. The parties have executed an agreement for the management, maintenance, and operation of the modular.
- In accordance with SB1732, there is adequate parking for the Court Facility.
- There are no historic issues associated with the Court Facility.

Staff Recommendation: **Authorize the acceptance of real property and improvements thereon through a transfer of title.**

CONSENT ITEM

CONSENT ITEM—2

DEPARTMENT OF DEVELOPMENTAL SERVICES (4300)
FAIRVIEW DEVELOPEMENTAL CENTER
AIR CONDITION SCHOOL AND ACTIVITY CENTER
COSTA MESA, ORANGE COUNTY

Authority: Chapters 171 and 172, Statutes of 2007, Item 4300-301-0001 (1)

Approve preliminary plans

CONSENT ITEM

STAFF ANALYSIS ITEM—2

Department of Developmental Services
Fairview Developmental Center
Air Condition School and Activity Center
Costa Mesa, Orange County

Action Requested

If approved, the requested action will approve preliminary plans.

Scope Description

This project is within scope. The authorized project will provide an air conditioning system at the Goodell School and Work Activity Center at Fairview Developmental Center. The work will include the installation of new fan coil units connecting to the existing chilled water system and new or replacement ducting throughout the buildings.

Funding and Project Cost Verification

This project is within cost.

\$2,530,000	total estimated project costs
\$2,530,000	total authorized project costs
\$ 338,000	project costs previously allocated: preliminary plans and working drawings
\$2,192,000	project costs to be allocated for construction \$1,705,500, \$119,400 contingency, and \$367,100 administration)

CEQA

A Notice of Exemption was submitted to the State Clearinghouse on June 9, 2008. The 35-day statute of limitation period expired without challenge July 14, 2008.

Real Estate Due Diligence

Due diligence was completed in June 2008 and there are no unresolved issues or recommendations for resolution/ mitigation proposed.

Project Schedule

Approve preliminary plans	September 2008
Approve working drawings	December 2008
Complete construction:	May 2010

Staff Recommendation: Approve preliminary plans.

CONSENT ITEM

CONSENT ITEM—3

DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)
RICHARD J. DONOVAN CORRECTIONAL FACILITY,
UPGRADE SEWAGE GRINDER SYSTEM
SAN DIEGO, SAN DIEGO COUNTY

Authority: Section 28 of Chapter 7, Statutes of 2007

Establish scope, cost, and schedule

CONSENT ITEM

STAFF ANALYSIS ITEM—3

Department of Corrections and Rehabilitation
Richard J. Donovan Correctional Facility, San Diego, San Diego County
Upgrade Sewage Grinder System

Action Requested

If approved, the requested action will recognize the scope, cost, and schedule of the project and approve the use of inmate ward labor (IWL) resources.

Scope Description

This project is within scope. The project includes installation of a new sewage grinding system to pulverize, screen and remove solids from the Richard J. Donovan (RJD) Correctional Facility's waste stream. The project also includes construction of a concrete pit to house the grinding equipment and rerouting of a portion of the existing sewer line to and from the new grinding system. Wastewater from RJD is discharged to and treated by the South Bay Water Reclamation Plant, operated by the City of San Diego. The existing sewage grinding system is in violation of waste discharge requirements. This project is necessary to satisfy compliance orders issued by the City of San Diego and to prevent future wastewater violations, excessive fines, and potential litigation.

Pursuant to Section 10103.5 of the Public Contract Code the State Public Works Board must approve the use of IWL for a project that is for construction of new, previously unoccupied prison facilities or additions to existing facilities and for which the total project cost exceeds \$50,000. This action will also approve the use of IWL resources for this project.

On August 14, 2008 the Department of Finance notified the chairs of the Joint Legislative Budget, the Senate Appropriations, and the Assembly Appropriations Committees of its intent to establish the scope, cost and schedule for this project at the State Public Works Board meeting no sooner than 30 days from that date.

Funding and Project Cost Verification

This project is within cost. Section 28 of Chapter 7, Statutes of 2007 (AB 900) appropriated \$300 million to the Department of Corrections and Rehabilitation for capital outlay to renovate, improve, or expand infrastructure capacity at existing prisons. If approved, all phase of this project will be funded pursuant to this appropriation.

\$2,237,000 total authorized project cost

\$2,237,000 total estimated project cost

\$2,237,000 project costs to be allocated: preliminary plans \$183,000, working drawings \$100,000, construction \$1,713,900 (contracts \$1,586,100, contingency \$127,800, agency retained \$51,500, other \$188,600)

CEQA

It is anticipated the requirements of CEQA will be completed in October 2008.

Real Estate Due Diligence

It is anticipated due diligence will be complete in January 2009.

Project Schedule

Approve Preliminary Plans	March 2009
Approve Working Drawings	June 2009
Complete Construction	March 2010

Staff Recommendation: **Approve scope, cost, and schedule and the use of inmate ward labor.**

ACTION ITEM

NONE

OTHER BUSINESS

NONE

REPORTABLES

To be presented at the Meeting.